IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 19006 of 2007(K)

PETITIONER:

JOSEPH, S/O.OUSEPH @ JOSEPH,
KOTHAMBANANIYIL HOUSE, KOOMPARA P.O.,
KOODARANHI, KOZHIKODE.

BY ADV. SRI.K.M.JAMALUDHEEN
SMT.LATHA PRABHAKARAN

RESPONDENTS:
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1. THE SECRETARY, KOZHIKODE PRIMARY CO-OPERATIVE AGRICULTURAL & RURAL DEVELOPMENT BANK LIMITED NO.4362, PUTHIYARA P.O., KOZHIKODE - 4.

2. THE MANAGER, KOZHIKODE PRIMARY CO-OPERATIVE AGRICULTURAL & RURAL DEVELOPMENT BANK LIMITED NO.4362, MUKKOM BRANCH, THAMARASSERY P.O., KOZHIKODE.

3. SENIOR INSPECTOR/SPECIAL SALE OFFICER, KOZHIKODE PRIMARY CO-OPERATIVE AGRICULTURAL & RURAL DEVELOPMENT BANK LIMITED NO.4362, PUTHIYARA P.O., KOZHIKODE - 4.

BY ADV. SRI.THOMAS ANTONY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C).NO.19006 OF 2007 K

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE NOTICE ISSUED BY THE FIRST RESPONDSENT DATED 27.3.2006.

EXT.P2 TRUE COPY OF THE NOTICE ISSUED BY THE FIRST RESPONDSENT DATED 24.4.2007.

EXT.P3 TRUE COPY OF THE NOTICE ISSUED TO THE PETITIONER BY THE THIRD RESPONDSENT DATED 6.6.2007.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 19006 OF 2007 K

Dated this the 19th July, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Recovery steps have been taken. Heard the learned counsel appearing for the parties. The Writ Petition is disposed of permitting the petitioner to pay off the entire amount due in six equal monthly instalments. The respondent Bank will consider whether the petitioner is entitled to the benefit of any Scheme and grant such benefits as he is entitled to and communicate the decision along with a Statement within two weeks from today, showing the amount of instalments on the basis that the petitioner has to pay the entire amount in six equal monthly instalments. The first instalment shall be paid on or before 20.8.2007 and the remaining instalments on or before the 20th of every succeeding month. If any of the instalments is not paid, petitioner will lose the benefit of this Judgment and the respondent Bank will be free to proceed against the petitioner in accordance with law.

K. M. JOSEPH, JUDGE

kbk.